

(Published in the *Miami County Republic* on Wednesday, August 21, 2019)

ORDINANCE NO. 3145

AN ORDINANCE TO SUBMIT TO THE QUALIFIED ELECTORS OF THE CITY OF PAOLA, KANSAS THE PROPOSITION OF LEVYING A ONE HALF CENT (.50%) RETAILERS' SALES TAX IN THE CITY OF PAOLA TO IMPROVE, MAINTAIN, OPERATE AND DEVELOP ALL CITY PARKS AND RECREATIONAL FACILITIES AND TO IMPROVE AND MAINTAIN CITY STREETS, INCLUDING CURBS, GUTTERS, SIDEWALKS, PUBLIC PARKING LOTS AND ALL APPURTENANCES, AND ALL THINGS RELATED AND NECESSARY TO SUCH PURPOSE, INCLUDING PAYMENT OF OBLIGATIONS OF THE CITY ISSUED TO FINANCE SUCH PURPOSES.

WHEREAS, K.S.A. 12-187 *et seq.*, as amended, authorizes the governing body of the city of Paola, Kansas ("City") to submit to the qualified electors of the City the question of levying a retailers' sales tax in the City and pledging the revenue received from the tax to certain purposes of the City with the tax to be collected by the Kansas Department of Revenue and returned to the City; and

WHEREAS, the governing body of the City has determined it is necessary to levy the renewal of one half of one percent (.50 %) retailers' sales tax, to begin on October 1, 2021 and continue for 15 years through September 30, 2036, with revenue received from the tax used to improve, maintain, operate and develop all City parks and recreational facilities, including the Paola Family Pool, and to purchase land to develop new parks or recreational facilities; to improve and maintain City streets, including curbs, gutters, sidewalks, public parking lots and all appurtenances; and all things related and necessary to such purposes, including payment of obligations of the City issued to finance such purposes, all pursuant to K.S.A. 12-187 *et seq.*, as amended and K.S.A. 12-195.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PAOLA, KANSAS:

Section 1. A special question election is called to be conducted on November 5, 2019, for the purpose of submitting to the qualified electors of the City, the question of levying a retailers' sales tax in the City, in the amount of one half of one percent (.50%), with such tax to take effect on October 1, 2021, if approved by a majority of the electors voting on the question. The election shall be conducted in the manner prescribed by applicable laws of the state of Kansas.

Section 2. If approved by a majority of the electors voting on the question, the retailers' sales tax will be subject to all applicable state laws and administrative rules and regulations of the Kansas Department of Revenue. The services of the Kansas Department of Revenue shall be utilized to administer, enforce and collect such tax.

Section 3. The proposition to be voted on shall appear on the ballot as follows:

Shall the following be adopted?

Shall the city of Paola, Kansas levy a retailers' sales tax in the amount of one-half of one percent (0.50%), to take effect on October 1, 2021 (after expiration of the existing 0.5% retailers' sales tax on September 30, 2021), with such tax to be levied for 15 years from the date it is first levied, with revenues of such tax allocated to City purposes as follows: (1) to improve, maintain, operate and develop all City parks and recreational facilities, including the Paola Family Pool, and to purchase land to develop new parks or recreational facilities; (2) to improve and maintain City streets, including curbs, gutters, sidewalks, public parking lots and all appurtenances; and (3) all things related and necessary to such purposes, including payment of obligations of the City issued to finance such purposes, all pursuant to K.S.A. 12-187 *et seq.*, as amended and K.S.A. 12-195?

Section 4. The Miami County Clerk is authorized to and shall give notice of the bond election by publishing a notice of election (in substantially the form attached to this Ordinance as Exhibit A) once each week for two consecutive weeks in a newspaper of general circulation in the City, as provided in K.S.A. 12-187 *et seq.*, and K.S.A. 10-120, with the first publication to be not less than twenty-one (21) days prior to the date of the election. The vote at the election shall be by ballot and the proposition approved by this Ordinance shall be printed on the ballot with the voting instructions required by law.

Section 5. This ordinance shall take effect from and after its adoption by the governing body of the City and publication one time in the official City newspaper.

ADOPTED AND APPROVED by the governing body of the City of Paola, Kansas on August 13, 2019.

CITY OF PAOLA, KANSAS

[Seal]

By _____
Artie Stuteville, Mayor

ATTEST:

By _____
Stephanie Marler, City Clerk

Exhibit A to Ordinance No. 3145

(First published in the *Miami County Republic*, on _____, 2019,
and subsequently on _____, 2019.)

NOTICE OF SPECIAL QUESTION ELECTION

TO ALL OF THE QUALIFIED ELECTORS OF THE CITY OF PAOLA, KANSAS:

Notice is given by the Governing Body of the city of Paola, Kansas and the County Election Officer of Miami County, Kansas that a special question election will be held in the city of Paola, Kansas on November 5, 2019, for the purpose of voting on the question of levying a retailers' sales tax in the amount of one half of one cent (.50%) on retail sales consummated within the city of Paola, Kansas, according to the provisions of K.S.A. 12-187 *et seq.* If approved, the retailers' sales tax will begin on October 1, 2021 (upon termination of an existing .50% retailers' sales tax levied by the City) and continue through September 30, 2036, with revenue received from the tax used to improve, maintain, operate and develop all City parks and recreational facilities, including the Paola Family Pool, and to purchase land to develop new parks or recreational facilities; to improve and maintain City streets, including curbs, gutters, sidewalks, public parking lots and all appurtenances; and all things related and necessary to such purposes, including payment of obligations of the City issued to finance such purposes, all pursuant to K.S.A. 12-187 *et seq.*, as amended and K.S.A. 12-195. If approved by a majority of the electors voting such tax shall be collected by the Kansas Department of Revenue, and the revenue returned to the city of Paola.

The polls will be open for voting between 7:00 a.m. and 7:00 p.m. on November 5, 2019 at the following places:

[To be supplied by the county clerk/election officer]

The proposition to be voted on shall appear on the ballot as follows:

Shall the following be adopted?

Shall the city of Paola, Kansas levy a retailers' sales tax in the amount of one-half of one percent (0.50%), to take effect on October 1, 2021 (after expiration of the existing 0.5% retailers' sales tax on September 30, 2021), with such tax to be levied for 15 years from the date it is first levied, with revenues of such tax allocated to City purposes as follows: (1) to improve, maintain, operate and develop all City parks and recreational facilities, including the Paola Family Pool, and to purchase land to develop new parks or recreational facilities; (2) to improve and maintain City streets, including curbs, gutters, sidewalks, public parking lots and all appurtenances; and (3) all things related and necessary to such purposes, including payment of obligations of the City issued to finance such purposes,

all pursuant to K.S.A. 12-187 *et seq.*, as amended and K.S.A. 12-195?

Yes _____

No _____

To vote in favor of any question submitted upon this ballot, make a cross or check mark in the square to the right of the word "Yes;" to vote against it, make a cross or check mark in the square to the right of the word "No."

Dated _____, 2019.

By _____
Janet White, County Clerk/Election Officer